

**OFFICIAL MINUTES
PIGEON RIVER COUNTRY ADVISORY COUNCIL
July 25, 2008**

A meeting of the Pigeon River Country Advisory Council was held on Friday, July 25, 2008 at the Pigeon River Country Management Unit Headquarters. Chairman Glasser called the meeting to order at 6:30 pm.

MEMBERS PRESENT: Michael Estes, Bob Bolinger, Ken Glasser, Carol Clute, Pete Gustafson, Eugene Horan, John Walters, Mike Castle, Jim Supina, Arch Reeves, Dave Smethurst (arrived after Public Comments), Randy Sanders, Bob Hess, Dick Myers, Mark Ennes, Paul Rose and Rique Campa

MEMBERS ABSENT: Don Huff

EX-OFFICIO PRESENT Brian Mastenbrook, Laurie Marzolo, Dave Borgeson and Rick Henderson

EX-OFFICIO ABSENT: None

OTHERS PRESENT: Eric Bottorff, Connie Kleinhardt, Diane McConnell, Judy Kleinhardt, Dayle Garlock, John McConnell, Larry Kleinhardt, Tom Smith representing Congressman Dave Camp, Lori Konecke, Cynthia Kieliszewski, Jackie Konecke, Mary Jergenson representing State Senator Tony Stamas, Randy Weber, Carol Hyzer, State Representative Kevin Elsenheimer, State Representative Tom Casperson, Richard Kleinhardt, Richard Kropf, Bud Slingerland, State Representative Joel Sheltrown, Darren Swan, Jude Jarecki and Joe Jarecki

CHAIR'S OPENING REMARKS:
None.

AGENDA

Motion by Bolinger, support by Horan to add the memo from Ty Ratliff to the agenda. **Motion** carried.

APPROVAL OF April 11, 2008 ADVISORY COUNCIL MEETING MINUTES

Motion by Supina, support by Walters to approve the April 11, 2008 minutes as published. **Motion** carried.

PUBLIC COMMENTS

Richard Kropf said he was representing the PRC Association for President Ray Hoobler who was unable to attend. Regarding the sediment release from the Song of the Morning dam, the Association is hoping a solution will be found short of a lawsuit. The Pigeon River is a public resource and a designated Natural River. The impoundment should be drawn down. The Association has pledged \$1000 toward court action if necessary, but hopes it is not needed.

Dick Kleinhardt said he has ridden horses in the PRC for about 25 years. He said horses have been targeted and he does not think they have had due process in regards to their input and voicing their opinion.

State Representative Tom Casperson said that in a conversation with Mindy Koch and Becky Humphries, he was told that the U. S. Fish and Wildlife Service stated that the DNR was in violation and could lose federal funding if something wasn't done about horse use in the PRC. He asked the Fish and Wildlife Service if their department would require a decision such as was made in the PRC without

writing a letter saying “this is the problem, you could be in violation and here is why”? Then the Director would have to step up to the plate and say we have to do this. He said there is no such communication. He said the DNR told legislators that losing federal dollars was the main concern. Why not hire a conservation officer and police the situation first? Legislators were also told that there was an audit done and it turns out there was not. The Department should be straight with legislators. His recommendation in Lansing will be for the legislature to get involved. He said he was here to tell the Council what they found out so far, and it does not look very good.

State Representative Kevin Elsenheimer thanked the Advisory Council for the work they do protecting an important resource for the future of the state. He said he had a couple of things to talk about. The situation with the dam is a matter of great concern. The footbridge issue is also something he is getting a lot of comment about. Is there a problem with the maintenance schedule or the inspection schedule? He wants to offer assistance to secure funding.

Randy Webber bought land on Trowbridge Road for riding horses in the PRC. He asked to consider a horse trail in Green Timbers.

Jackie Konecke is a horse rider and also walks, berry picks, etc. in the PRC. She asked to see the documentation to prove all those outrageous things about horseback riders. She said DNR documentation shows that horse use has not increased recently, so why is it a problem now? Horse campgrounds are closed for lack of use and at the same time the DNR says horses are over-using the PRC. What is the plan for horses in the future?

Cynthia Kieliszewski from the Alpena Horse Club said she agreed with the points Jackie Konecke made. Where is the documentation of the strife between horse riders and other users? She said she wants to work with the Council to solve problems.

Lori Konecke said she agrees with the previous comments. She said she was disappointed that horse riders were not given rules to follow and it is sad that we do not have trails.

Tom Smith from Congressman Dave Camp’s office said the U.S. Fish and Wildlife service inspected the area on September 14, 2007. Contrary to their guidelines, which require a written report within three days, the written report was not done until July 24, 2008, after a copy was requested by Congressman Camp. That indicates the issue was not urgent or especially important. They are concerned that horse riders are not able to use the PRC.

Carol Hyzer said she has belonged to the Michigan Trail Riders Association since 1979. MTRA has built a lot of bridges and filled many wet areas. To her knowledge, no bridge built by MTRA has ever failed.

Dick Myers said he has been in Elk Hill several times in the last few weeks and has observed little use. He wondered if horse users are boycotting Elk Hill.

Dick Kleinhardt said he has read the Concept of Management which says concentrating large numbers of people should not be done, yet the 15 off site camps were closed. To answer if horse users are boycotting Elk Hill. It is hard to get large rigs into many of the Elk Hill sites. The three suggested circle rides are ludicrous and dangerous. When the off site camps were open, there was a safety valve if Elk Hill was full that is now gone. Horse riders are not boycotting Elk Hill; the dynamics of riding in the PRC are not conducive to going to Elk Hill.

Laurie Marzolo pointed out that 3.8 million acres of the 3.9 million acre state forest system are still open to unrestricted horse use.

After discussion about whether or not the Advisory Council should revisit the issue, **Motion** by Clute, support by Bolinger that the Advisory Council refers the horse use issue to the Horse Use Committee. **Motion** failed, 6 yes and 10 no.

HONOR BUD SLINGERLEND

Chairman Glasser read and presented the framed resolution that was passed by the Advisory Council honoring Bud Slingerlend's 17 years of service on the Advisory Council. (Copy attached.) Bud expressed his thanks.

HONOR PETE GUSTAFSON

Chairman Glaser read and presented the framed resolution honoring Pete Gustafson's 5 ½ years as Chair of the Advisory Council. (Copy Attached.) Glasser made the **Motion** that the resolution be unanimously adopted at the July 25, 2008 meeting and the Council did so.

LETTER OF SUPPORT TO FUND PIGEON RIVER HABITAT INITIATIVE

Motion by Gustafson, support by Walters to approve the Chair's 6/19/2008 letter (copy attached) to Huron Pines supporting a grant request to continue funding for the Pigeon River Habitat initiative.

Motion carried with Paul Rose abstaining because he is a member of the Huron Pines Board of Directors.

OIL AND GAS COMMITTEE REPORT

Ken Glasser discussed the 6/11/2008 Oil and Gas Committee minutes (copy attached), which recommend approval of the Schmude Oil Company proposal to drill eight Antrim gas wells from surface locations on private property and with bottom hole locations in Green Timbers.

Motion by Hess, support by Smethurst, that the Pigeon River Country Advisory Council does not oppose the proposed application presented by Schmude Oil Company requesting eight (8) non-development oil and gas leases in Green Timbers from the State of Michigan Department of Natural Resources. Motion carried, 15 yes, 1 no and Estes abstained.

STANDARDS AND LIMITATIONS COMMITTEE REPORT

Chairman Reeves referred to the 7/10/2008 Standards and Limitations Committee minutes (copy attached about the sediment release from the Song of the Morning dam and said he would attempt to answer any questions.

Dave Borgeson was asked a question about the data gathering process. He said he needs to not answer specifics at this time. Glasser said DEQ and DNR personnel cannot discuss the issue because of the gravity of the situation.

Reeves said many people think there is a need to plant fish to assist in the recovery. Walters said that hatchery trout have proven to not be successful and questioned if there is a food source for planted trout since aquatic insects were also impacted.

As recommended by the Standards & Limitations Committee, **Motion** by Gustafson, support by Walters that the Pigeon River Country Advisory Council recommends that steps be taken to insure that a sediment release from the Song of the Morning dam never happen again; that the dam be removed; and that the DNR and DEQ should take appropriate action to insure that the dam operates safely during the resolution of this issue to protect the Pigeon River watershed. **Motion** carried.

Rick Henderson and Dave Borgeson asked that anyone with information about details of the sediment release contact them.

Ken Glasser said Council members need to explain to folks that DNR and DEQ personnel are

investigating and people need to be patient and let them do their job.

Council members expressed their strong support for all parts of the motion. John Walters urged all to write to legislators, editors, etc. to keep up the pressure.

DNR FOREST, MINERAL & FIRE MANAGEMENT DIVISION REPORT

Eastern Lower Peninsula District Supervisor Dayle Garlock said all Advisory Council vacancies have been filled. Timber sale receipts are up, so they have the money to fill the PRC Unit Manager position. The interview team has been selected, interview questions have been submitted, and the process should move forward once Civil Service Commission questions are resolved.

Garlock was asked if there has been active communication with the mineral rights owner of Blue Lakes. He said he did not know and will ask, but his guess is no, since there is lots of Mineral Section staff time being spent on the upcoming oil and gas lease auction.

EX-OFFICIO REPORTS

Wildlife Division

Brian Mastenbrook said 800 of the oil and gas lease classifications are from Cheboygan County. If some are adjacent to the PRC, he will use that to put appropriate restrictions on them.

FMFM Division

Laurie Marzolo discussed her written report and answered many questions. (Copy attached.) She said the 2010 Year of Entry Open House is next Tuesday and the Compartment Review is August 20th. The Open House is the best opportunity for input and Council members were urged to attend. Marzolo and Mastenbrook said that prescriptions were made to achieve the objectives stated in the updated Concept of Management. Examples include increasing upland brush and grass acres and maintaining or increasing aspen acres.

Dave Borgeson was asked about the latest thinking on removing or not removing large trees near streams. He discussed some of the complexities and explained that many factors interact, so the answer varies, depending on the circumstances associated with the particular stand and stream.

Marzolo said this may be her last Advisory Council meeting as the Acting PRC Unit Manager. She said it has been a privilege to work with the Advisory Council. Garlock said she and Don Mittlestat did a very good job under challenging circumstances.

PUBLIC COMMENTS CONTINUED

State Representative Joel Sheltron arrived late and Chairman Glasser offered him the opportunity to comment. He said he encourages the Department to make sure that the information on the U.S. Fish and Wildlife Service's position respective to horses in the PRC is accurate. He is disappointed about the decision.

He chairs the Committee on Tourism, Outdoor Recreation and Natural Resources which held a hearing and there were a lot of questions about why equestrian use was not allowed in the PRC. There was a lot of finger pointing towards the federal government which appears to him was not exactly the case. The legislature will probably have to continue to investigate this matter to see whether all the facts were presented fairly. If they weren't, the legislature may have to take some sort of action on their own which he does not really want to do. He hopes the parties can come up with some sort of compromise that everyone will be happy with.

LETTER OF SUPPORT FOR PIGEON RIVER COUNTRY STATE FOREST ACQUISITIONS

Pete Gustafson read the request from Little Traverse Conservancy Land Protection Specialist Ty Ratliff for an Advisory Council letter of support for a lump sum of \$1.5 million from the Trust Fund to acquire priority inholdings in the Pigeon River Country State Forest. (Copy attached.)

Motion by Gustafson, support by Bolinger that the Advisory Council authorizes the Chair to send a letter of support, as requested by Little Traverse Conservancy Land Protection Specialist Ty Ratliff, for the disbursement of funds from the Trust Fund for the request that Kerry Wieber is developing to make purchases in and around the Pigeon River Country State Forest. **Motion** carried.

LETTERS RECEIVED BY CHAIRMAN GLASSER

Received a letter from the DNR inviting input at public meetings on proposed regional management plans for state forest lands. At this time, the Concept of Management is being considered as the management plan for the PRC.

There will be a bear management planning meeting on August 11th in Hillman. Glasser encouraged the Wildlife Committee members to attend.

The Cheboygan County Road Commission will be replacing a 36" round culvert with a 48" elliptical culvert over Oxbow Creek on Oxbow Creek Road.

FUTURE AGENDA ITEMS

Glasser said the question of revising the Advisory Council bylaws to provide for an electronic vote will be an agenda item at the next meeting.

OTHER BUSINESS

Dave Borgeson said that Tim Cwalinski authored a "status of the fishery" report on Osmun Lake and it includes the potential for special regulations in the future.

Arch Reeves requested that a new Standards and Limitations Committee chair be appointed.

Dave Smethurst said an ad hoc group has been meeting for over a year. The group is hearing different things about energy proposals. Certain entities appear to be interested in developing natural gas in the PRC and some are interested in taking mineral leasing authority away from the DNR. The general discussion was that there are some rumors that the idea is dead and other rumors that it is not dead. Also, it would take legislative change to make it happen. Council members need to keep on top of this.

PRC Association Student Intern Darren Swan said he is interested in any significant photographs that Council members have. He asked members to contact him if they were willing to let him make electronic copies of their photographs.

Conservation Officer Eric Bottorff introduced himself and said that since May, his main responsibility is to work in the PRC. Previously, he was a conservation officer in southwest Michigan for 10 years. He spent lots of time in the Pigeon River Country State Forest when he was growing up in Indian River and he is glad to be here.

ADJOURN

The meeting was adjourned by Chairman Glasser at 8:52 p.m.

Minutes were taken and summarized by Joe Jarecki.

Respectfully Submitted,

Dayle Garlock, Secretary